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CAMBODIA: PEACE AT LAST OR THE RETURN OF POL POT?

Amid intense diplomatic activity and growing optimism that a political settlement of the Cambodian conflict may finally be in sight, fears are mounting in the Cambodian refugee community that the Khmer Rouge are preparing to return to power in Cambodia, following a withdrawal of Vietnamese troops.

At least 2,000 Cambodian-Americans, several members of Congress, and Kitty Dukakis, wife of the Democratic presidential candidate, are pressing the Administration to take steps to ensure that the Khmer Rouge never regain control of the country.

A letter to President Reagan, signed by more than 2,000 survivors of the Cambodian killing fields, accused the Khmer Rouge of "planning to return to Cambodia under the cover of 'national reconciliation,' obtain de facto control of the countryside by terror and threat, lie low for several years, and again seize power."

Neither those directly involved in the Cambodian dispute, nor the international community at large, "have a realistic or workable plan to prevent Pol Pot's Khmer Rouge from again seizing power when the Vietnamese go home," the letter said.

"Cambodians in this country need to be more active to stop the killing in Cambodia," said Kassie Neou, a co-signer of the letter and director of the Association of Cambodian Survivors in Falls Church, Virginia. "We have a tradition and attitude of letting our leaders decide everything for us. Now people are starting to think for themselves."

After seizing power in 1975, the Khmer Rouge, led by Pol Pot, were responsible for the deaths of more than one million people by execution, starvation, overwork, and disease. They were driven into Thailand by invading Vietnamese forces in December 1978, and have been carrying on a war of resistance ever since, with diplomatic recognition from the United Nations and military aid from the People's Republic of China.

Vietnamese officials state that 13,000 out of an initial force of 140,000 troops have already been withdrawn this year, and on June 30, Vietnam officially began to withdraw another 50,000, a process that should be concluded by the end of the year. Vietnam has

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repeatedly pledged to pull out all of its forces in Cambodia by 1990.

Initial skepticism at these withdrawals has given way in some quarters to renewed optimism for a political settlement, along with fear that the Khmer Rouge may attempt to subvert any negotiated transition of power through violence and coercion.

Members of Congress Express Concern On June 29, Rep. Chet Atkins (D-Mass.) was joined by nine colleagues in the House and Senate in introducing a joint resolution "in support of the restoration of a free and independent Cambodia and the protection of the Cambodian people from a return to power by the genocidal Khmer Rouge."

"In the aftermath of World War II, Atkins said at a press conference, "the nations of the world, shocked by the horrors of Nazi Germany, said 'never again.'...But, we were wrong."

Now, Atkins warned, these same Khmer Rouge--"well-armed, ideologically driven, fomented by hatred and elated by torture, killing, and coercion--are poised and ready for a second takeover of Cambodia." U.S. defense analysts and other informed observers agree that the Khmer Rouge fields a guerrilla army of 30,000--40,000, and maintains extensive arms caches in the Cambodian interior that could sustain its military operations for up to two years without need for new supplies.

"This is a period of great promise and extraordinary peril for the Cambodian people," said Rep. Stephen Solarz (D-N.Y.) at a June 30 hearing. Solarz, a co-sponsor of the joint resolution (H.J. Res. 602, S. Res. 347), is chairman of the Subcommittee on Asian and Pacific Affairs in the Committee on Foreign Affairs. The return of the Khmer Rouge, he said, "is not a theoretical nightmare, but a frightening possibility."

"It is about time that U.S. government took a more active role in the search for a peaceful political solution in Cambodia," said Vora Kanthoul, associate executive di-

RESOLUTION SEEKS TO DISARM KHMER ROUGE

The joint resolution, which would not be legally binding, calls upon Vietnam to withdraw all of its forces from Cambodian soil, but also urges the United States and the international community to "use all means available to prevent a return to power of Pol Pot, the top echelon of the Khmer Rouge, and their armed forces." Some of the means cited by the resolution include:

- China and other nations who arm the Khmer Rouge should "cease the flow of war material and the accumulation of caches of arms that might ultimately be used to terrorize the Cambodian people and to threaten a legitimate government of Cambodia."

- Thailand and other nations should "deny safe haven to Khmer Rouge forces seeking the overthrow of a newly formed sovereign Cambodian government."

- The United States should "ensure that genocide is never tolerated or forgotten anywhere in the world and that those responsible for such heinous crimes should be held accountable under international law."

- The President should seek inclusion of new language in the annual UN resolution condemning the Vietnamese occupation of Cambodia. The new language should state the principle "that those responsible for acts of genocide and massive violations of internationally recognized human rights shall not return to positions of state power in Cambodia."

- The United States, along with the six-member Association of Southeast Asian Nations (ASEAN), should continue to assist the noncommunist factions of the Cambodian resistance, "particularly their efforts to achieve a negotiated settlement that would permit self-determination for the Cambodian people and the return of refugees in safety and dignity to their homeland."

- The United States and ASEAN should consider whether a political settlement would be facilitated by convening an international conference on Cambodia, and providing for international peacekeeping forces "that could supervise the withdrawal of Vietnamese troops and the holding of free and fair elections in Cambodia."

rector of United Cambodian Community, Inc. in Long Beach, California. "As a contribution to stability in Southeast Asia," Kanthoul told Refugee Reports, the resolution was "overdue. We are very nervous that the Khmer Rouge are getting stronger and stronger."

Human Rights Group Documents Khmer Rouge Crimes of Genocide Two principal co-signers of the letter from Cambodians in the United States to President Reagan were Dith Pran, a photographer with The New York Times whose story of survival during the Khmer Rouge reign of terror was made into the motion picture, The Killing Fields, and Dr. Haing Ngor, who won an Academy Award for his portrayal of Dith Pran in the film. "It hurts us," they wrote, "that the international community ignores and, through its silence, covers over what Pol Pot's forces did to us, our people and our country."

The Cambodian-American letter made two recommendations to the U.S. government. First, the letter suggested, Congress should pass the implementing legislation that will complete ratification of the UN Convention on the Prevention and Punishment of the Crime of Genocide. The law has passed the House and awaits a vote in the Senate. Once enacted, the law would enable the United States to bring suit against Khmer Rouge leadership for the crime of genocide, either in the World Court or an ad hoc international tribunal. The UN convention defines genocide as the intentional destruction, in whole or in part, of a national, ethnic, racial or religious group.

The letter also urged President Reagan to "ensure that the 1988 General Assembly of the United Nations unambiguously affirm...that it is the will of the international community that those who have already committed genocide once should not get a second chance."

Since 1979, annual UN resolutions have condemned the Vietnamese invasion and reaffirmed the right of the Cambodian people "to self-determination free from outside interference." Last year, a total of 117 countries supported the resolution, which refrained from any criticism of the Khmer Rouge.

The Cambodia Documentation Commission, a group of Cambodian refugees, human rights specialists, and scholars, has accumulated

Registration photographs of some of the 20,000 people imprisoned, tortured, and killed in Phnom Penh's infamous Tuol Sleng Prison.
Photo Credit: David Hawk

hundreds of hours of taped oral histories and hundreds of photographs documenting the genocidal crimes of the Khmer Rouge. Specifically, the group accuses the Khmer Rouge of eliminating more than 50,000 Buddhist monks; of eradicating up to half of the Cham, a Muslim ethnic minority; and of killing a substantial portion of the Khmer "national group" who were considered tainted by a bourgeois or urban background, or by foreign associations.

"We have enough proof of the Khmer Rouge crimes against humanity," said Dr. Kol Pheng, executive director of the Cambodia Foundation, a human rights advocacy group in Austin, Texas. "Now it is time to take action." Kol, who is also a member of the commission's advisory board, emphasized that his efforts to bring Pol Pot to justice were undertaken "on humanitarian grounds only. I do not want to get involved in politics." Several Cambodian community leaders contacted by Refugee Reports said they had signed the letter as individuals only, not as organizational heads.

One leader who did not sign the letter called it a "laudable effort," but feared that it might "play into the hands of the Vietnamese," by deflecting pressure for a Vietnamese withdrawal and dividing the resistance effort. "That argument," said Kassie Neou, "is no good anymore." The letter is very clear, he said, that "we denounce both the Vietnamese invasion and the return of Pol Pot. The time has come to say, 'No more killing in Cambodia.'"

Administration Says First Priority is Vietnamese Withdrawal The United States government is "totally opposed to a resumption of power by the Khmer Rouge," said David Lambertson, deputy assistant secretary of state for East Asian and Pacific Affairs, but, for the moment, "getting the Vietnamese out remains the central priority." Testifying before the Solarz subcommittee, Lambertson said that the inclusion of language in a UN resolution providing for the nonreturn of the Khmer Rouge "probably would be helpful." But he reiterated that the "primary objective" of U.S. policy on Cambodia was to remove the Vietnamese.

As to the ideas for international peacekeeping forces, disarmament of the various factions in the Cambodian conflict, and removal of Pol Pot and other senior Khmer Rouge leadership, Lambertson said that "the United States has taken no final position on any of these," although he acknowledged "the need to move now" to address the ways to control the Khmer Rouge.

"I must also stress, however," said Lambertson, "our strong belief that until Hanoi shows clearly--more clearly than it has to date--that it has in fact made the fundamental decision to end its occupation of Cambodia, the United States must continue our joint efforts with ASEAN and others to maintain diplomatic and economic pressure on Vietnam." He summarized the current U.S. position toward Vietnam as "no trade, no aid, and no normal relations."

"I want to express my anger at the Administration's policy," responded Atkins, a member of the House Subcommittee on Asian and Pacific Affairs. "We are obsessed with a Vietnamese withdrawal," said Atkins, which he felt certain would happen. "The fundamental problem is the Khmer Rouge. They will return to power absent a strong U.S. commitment to prevent it. But clearly the Khmer Rouge are a subsidiary question" as far as the Administration is concerned, he said.

Kitty Dukakis Presses for Attention to Cambodian Refugees in Thailand "As the Vietnamese troops begin to pull out of Cambodia, and as the international community searches for an acceptable political settlement in that troubled country," said Kitty Dukakis, wife of Massachusetts governor and presidential candidate, Michael Dukakis, "we must not forget the 300,000 victims on the border" of Thailand.

Appearing before the House subcommittee, Dukakis cited several steps the United States needed to take for the 300,000 Cambodian "displaced persons" trapped for many years along the Thai-Cambodian border.

The first, Dukakis said, was to provide for family members in the camps to reunite with relatives in the United States. "There are thousands of refugees with family ties to America and to other nations who remain alone, in limbo, and in squalor," she told the subcommittee.

Because neither Thailand nor the international community acknowledges the border Cambodians to be refugees, their only hope of migrating to the United States is through immigrant or humanitarian parole processing.

Refugee Camps on the Thai Cambodian Border

Cambodian refugee camps, under the control of:

▲ Khmer Rouge
○ Khmer People's National Liberation Front (Son Sann)
☆ Prince Sihanouk's group
★ United Nations High Commissioner for Refugees

Camp populations, mid-June 1988, total about 317,000

SITE 2	165,940	HUAY CHAN	8,880
GREEN HILL (SITE B)	52,840	SOK SANN	8,260
SITE 8	33,210	BO RAI	4,420
NATRAO	16,510	KHAO I DANG	16,970*
TA LUAN	9,680		

Sources: United Nations Border Relief Operation; Oxfam
*As of late April 1988

But Dukakis expressed "disappointment and frustration with the level of commitment" in the Administration to facilitate this movement. "We have been moving very slowly," she said.

Since the family reunification program for border Cambodians was announced in September 1985, a total of 877 have been approved for admission to the United States, a State Department official told Refugee Reports. Of these, about 350 Cambodians actually have entered the country. The rest are either in border camps or in Phanat Nikhom processing center. Recently, Thailand has been "reasonably prompt" in allowing access to interview people on the border, the official said, but "there are still lags at each stage of processing."

The lack of adequate education programs in the camps is also "deeply disturbing," said Dukakis. At Site 2, housing more than 160,000 people, "internationally funded education is only available through the eighth grade and even that is of poor quality," she said. "This situation represents a tragic loss for the future of Cambodia."

A third priority for Cambodian refugees, according to Dukakis, was "24-hour protection" in the camps.

"At sunset, the voluntary agency workers leave the camps, and thus leave the refugees as easy prey, defenseless against attack, and even murder. There is no one to turn to for protection, guidance, or justice," she said.

Thais Take Steps to Improve Cambodian Border Camps' Security Indeed, some of the worst abuses, say relief workers and international human rights groups, have come at the hands of Thai security forces responsible for refugee protection.

Some time in August, according to Thai officials, new security units will replace the paramilitary Task Force 80 rangers. Drawn from regular army ranks, the new Displaced Persons Protection Unit (DPPU) will include 80 women and will undergo special training. The commanding officer, Col. Preecha Kojaseni, reportedly arrived on the border June 15 with a team of 29 staff officers to begin training 320 army personnel for their new duties.

The DPPU eventually will number 560 people and will be responsible for security in eight of the border encampments, including the five under Khmer Rouge control.

Problems Persist in Khmer Rouge Camps Food deliveries to one of the Khmer Rouge camps, Huay Chan, were halted on May 1 by officials with the UN Border Relief Operation (UNBRO), who said administrators in the camp were blocking efforts to monitor aid distribution. Since then, the 8,880 residents have relied entirely on Chinese supplies. A UN official recently signalled that deliveries to Ta Luan, another Khmer Rouge base camp, may soon end if access does not improve.

"We are experiencing increasing lack of cooperation on the part of the leaders of Ta Luan," said S.A.M.S. Kibria, the UN secretary general's special representative for Kampuchean humanitarian aid," and unless the situation improves we may have to suspend our supplies and services there also."

A senior UNBRO official said that relief workers regularly report "bizarre violations of human rights" in the Khmer Rouge camps, even in Site 8, where international access is relatively free. "The more we see" of the Khmer Rouge, said another official, "the more we dislike what we see. They have been playing dirty tricks on us."

Atkins said that the United States has done "virtually nothing to pressure Thailand" to allow people in the Khmer Rouge camps freedom to move to another location. Relief workers generally estimate that 80 percent would leave the camps if they could. According to one official, "The vast majority are captives who have been herded around by the Khmer Rouge since 1979."

Search for a Political Settlement Accelerates Signs of new flexibility on the part of several key players in the nearly 10-year-old Cambodia conflict have convinced diplomats that prospects for peace are better than ever before. Vietnamese Foreign Minister Nguyen Co Thach has promised to attend a meeting on July 25 in Jakarta, at which representatives from all four Cambodian factions will be present.

Commonly referred to as the "cocktail party," the first stage of the meeting will bring together the Hanoi-backed People's Republic of Kampuchea with the tripartite Coalition Government of Democratic Kampuchea, which includes two noncommunist resistance groups and the Khmer Rouge. The

The long resistance war has taken its toll on both sides. Site 2 on the Thai-Cambodian border has more than 2,400 handicapped people and more than 7,000 orphans.
Photo Credit: Stefan Ellis

second stage of the talks will include the Vietnamese, along with Indonesian and perhaps Thai participation.

Indonesian Foreign Minister Ali Alatas said that he hoped for "breakthroughs on some essential and crucial elements" necessary for a political settlement. According to a Washington Post report, some of the elements outlined by Alatas following an ASEAN foreign ministers meeting in Bangkok include agreement on a timetable for the withdrawal of the remaining Vietnamese troops; agreement on the formation of an interim coalition government involving all four Cambodian factions; and convening an international conference to negotiate arrangements for an international peacekeeping force to monitor a ceasefire and free elections.

In a policy statement on Cambodia released on July 1, China signalled a willingness to consider safeguards against a Khmer Rouge return to power. The Chinese statement called for a Vietnamese troop withdrawal, a freeze on the troop strength of all Cambodian factions, and internationally supervised elections. In supporting the concept of a four-party provisional government to govern Cambodian until elections could be held, China proposed that each party's candidates would have to be acceptable to the other three. Diplomats say this would give the other groups veto power over the involvement of Pol Pot and other top Khmer Rouge leaders.

What remains to be determined is whether even a share of state power for the Khmer Rouge will be acceptable to the Cambodian people. "While in power the Khmer Rouge used the slogan, 'to preserve you is no gain, to lose you is no loss,'" said Haing Ngor. "In exile and preparing to return,

the Khmer Rouge now use the slogan, 'when the water rises, the fish eat the ants; when the water recedes, the ants eat the fish.' There is not a single Cambodian who does not understand exactly what that means."

Update

On a tour of Southeast Asian nations, Secretary of State George P. Shultz said that voluntary repatriation of refugees back to Vietnam must be considered as one alternative to resettlement, according to a July 10 story in the New York Times. Shultz also endorsed the idea of a UN-sponsored international conference on Indochinese refugees, possibly in early 1989.

Following a meeting on July 4 in Bangkok, the foreign ministers of the six-member Association of Southeast Asian Nations issued a brief statement calling for a "new comprehensive program of action" to deal with the continued outflow of refugees from Laos, Cambodia, and particularly Vietnam. "The structures, premises and assumptions of the past are no longer capable of dealing with the Vietnamese boat people problem," the statement said.

One of the fundamental structures now under scrutiny was established at an international conference in Geneva in 1979, at which neighboring countries in Southeast Asia agreed to take in refugees temporarily if Western countries committed to accept them for resettlement. Under that arrangement, more than 1.5 million refugees have been resettled in other countries, including 850,000 in the United States.

With refugee departures from Vietnam increasing for the second year in a row, asylum and resettlement countries are questioning whether the presence of an international resettlement program provides too much of an incentive to leave Vietnam. "It is feared that the policies themselves are creating a possible problem," said Shultz.

In FY 86, 20,597 Vietnamese boat people arrived in first asylum countries, according to State Department figures. The next year, the number climbed to 23,619, and in the first eight months of FY 88, a total of 27,161 Vietnamese have sought asylum in the region, including 10,725 to Malaysia and 6,108 to Hong Kong.

In his consultations with the ASEAN foreign ministers, Shultz said there was agreement on several points, including the need to explore "the possibilities of voluntary repatriation." On June 15, the Hong Kong government implemented a new policy to screen out and detain nonrefugees, pending their eventual return to Vietnam. Those determined to be refugees with a well-founded fear of persecution would be allowed to seek resettlement. The State Department reportedly has supported the new measures, provided they are carried out according to United Nations standards.

Another point of agreement with the ASEAN ministers, said Shultz, is the convening of "an international conference as has been suggested, perhaps next spring, under UN auspices." Up until one week ago, State Department officials had expressed very mixed feelings about a conference, fearing that it would only confirm the diminished commitment to resettlement on the part of Canada, Australia, and France, the United States' three major resettlement partners.

° The House Subcommittee on Immigration, Refugees, and International Law has marked up the Refugee Resettlement Extension Act of 1988 (H.R. 4827), which would authorize funding for domestic refugee resettlement for an additional two years. The House bill would also:

- establish an emergency assistance fund for domestic placement and resettlement to cover domestic costs related to emergency refugee admissions.

- require voluntary resettlement agencies who receive at least $100,000 in federal funds to submit audited annual financial statements to the State Department.

- establish additional guidelines and report requirements for consultations on refugee admissions and resettlement between Congress and the Administration, and between the federal government and state and local governments.

- allow for alternative projects for Hmong and lowland Lao refugees in the United States more than 36 months.

- require the State Department to submit a

report to Congress every six months on the resettlement of Vietnamese Amerasians and the Orderly Departure Program.

- transfer the responsibility for refugee placement policy from the Office of Refugee Resettlement to the State Department.

The Senate bill (S. 2605), which was reported out of the full Judiciary Committee on July 14, would extend authorization for three years instead of two, and does not include provisions for an emergency resettlement fund, alternative projects for Hmong and Lao, or reports on Vietnamese programs. Senate language on annual refugee consultations and voluntary agency audits is similar to the House bill.

Two amendments to the Senate bill would establish a pilot program for refugees with long-term welfare dependency, and require the U.S. Coordinator for Refugee Affairs to develop further guidelines on private sponsorship.

The newsletter of the Southern California chapter of the American Immigration Lawyers Association has published an INS document called "Discussion and Definitive Requirements of the Four Mandatory Jail Inspection Criteria of INS Jail Inspection Guidelines," which sets out the minimal standards for private alien detention facilities under contract with the INS. The document lists the minimum level of food service for aliens in detention as "(i) two meals in a 24 hour period; (ii) no fewer than 1,500 calories total, per 24 hours, and if detention exceeds 4 days, no fewer than 2,000 calories per day thereafter; (iii) no more than 14 hours between meals."

The newsletter editor commented, "Potential alien clients would be well advised to get a good meal before being detained."

On March 7, a district court in California ruled that routine strip searches of juveniles upon admission to INS facilities, and after visits with persons other than their attorneys, are unconstitutional. Senior Judge Robert J. Kelleher granted summary judgment for the plaintiffs in a class action suit--Flores, et. al., v. Meese--involving juveniles in INS custody in the Western Region. He determined that the INS practice violated the Fourth Amendment.

Recent Developments

ARMENIAN REFUGEE PROCESSING IN MOSCOW ABRUPTLY SUSPENDED

On the 4th of July, the United States abruptly suspended refugee processing out of the U.S. embassy in Moscow, which has been the route of entry for almost all Armenians leaving the Soviet Union under the U.S. refugee program.

According to Armenian sources, some 70 to 100 families had been invited to the U.S. embassy in Moscow for what they understood to be pro forma final interviews where they would pick up their visas for Rome. They were reportedly told that the program had run out of money and to come back October 1, the beginning of the next fiscal year.

"I can't believe this from America," said Souren Boursalian, whose brother, Zareh, is stranded in Moscow along with his wife and three children.

"He sold his home, left his job, everything," Boursalian told Refugee Reports. "Now, he can't go back to Armenia, and as far as I know, no hotel will accept him in Moscow." Boursalian said that he doesn't know where the family of four now is. He said that he is hoping they have found friends to stay with in Moscow, but that "no one can take them in for three months."

Boursalian said, "If the U.S. embassy had told them not to come to Moscow, to wait until October 1, it would have been all right. They would have waited quietly. But this is not fair. We have lost sleep over this. We are very frustrated and don't know what to do."

Boursalian said that he has called U.S. government authorities, "but nobody could answer my questions." He has also written a letter to President Reagan.

President Reagan Concerned On July 9, the Washington Post reported that President Reagan "was very concerned" about the Armenian refugee processing problem. White House spokesman Marlin Fitzwater was quoted as saying, "There is considerable cost asso-

Soviet Refugee Admissions to the United States, ATCP and nonATCP

FY 1988	ATCP	NonATCP	Monthly Total	Cumulative Total
Oct. 87	347	485	832	832
Nov.	562	662	1,224	2,056
Dec.	606	564	1,170	3,226
Jan. 88	795	701	1,496	4,722
Feb.	1,053	710	1,763	6,485
Mar.	1,027	577	1,604	8,089
April	929	583	1,512	9,601
May	1,242	465	1,707	11,308
June	1,770	848	2,618	13,926
Totals, first three quarters FY 88	8,331	5,595	13,926	

Source: Bureau for Refugee Programs/Department of State

ciated with relocation and resettlement, but it is clearly a problem that the president wants to work out and I'm confident that it will be." Fitzwater reportedly said that he did not know how the problem would be resolved, but that he expected a resolution "very soon."

The State Department maintains that there are insufficient funds in the budget to accommodate the Armenian exodus. They stress that the suspension of processing is temporary and will resume on October 1.

Richard Shifter, Assistant Secretary of State for Human Rights and Humanitarian Affairs, met with a group of about 40 would-be refugees in Moscow on July 13. According to the New York Times, Shifter told the group, "We, too, can make bureaucratic mistakes." His audience of Armenians, Jews, and Pentecostalists was described by the Times reporter as "politely incredulous."

Shifter reportedly told the group that the issue was being reviewed by high-ranking officials in Washington, but declined to predict what would be decided.

A U.S. embassy official in Moscow told the New York Times that the embassy is continuing to accept applications from Soviet citizens with exit permission who wish to emigrate, but that departure interviews (when applicants receive their visas) have been postponed.

The embassy spokesman indicated that the decision came about because of "an unexpected and very large surge in Soviet refugee applications and severe budget constraints."

The emigration of Soviet Armenians has indeed increased dramatically (see Refugee Reports, Vol. IX, No. 3). In 1986, only 286 Armenians left the Soviet Union. In 1987, the U.S. embassy received 1,849 Armenian applications (most coming in the last quarter of the year). This year, preliminary State Department figures indicate that about 9,500 Soviets--mostly Armenians--will emigrate through the Accelerated Third Country Processing (ATCP) program, which operates out of the U.S. embassy in Moscow.

(Although a small number of Soviet Jews with letters of invitation from relatives in the United States also use the ATCP program, most have letters of invitation from relatives in Israel, and obtain exit visas from the Dutch Embassy. From there they go to Vienna. In Vienna, the majority opt to come to the United States rather than

Israel (see Recent Developments). Some 8,500 non-ATCP Soviets--mostly Jews--are expected to be admitted as refugees into the United States this year. Funding for this program has not been suspended.)

Government Move Criticized On July 13, the Armenian Assembly of America sent a letter to Secretary of State George P. Shultz saying that it was "deeply distressed" at the decision to suspend Soviet emigrant processing "in mid-course."

The letter stated that the decision not to honor letters of invitation from the U.S. embassy in Moscow to persons holding Soviet exit permits "has caused great hardship for hundreds of Soviet emigres."

"It is widely known," the letter went on to say, "that persons applying to leave the Soviet Union routinely must sacrifice their rights to employment, education, housing, and other government subsidies."

"To alter this policy," said the Armenian Assembly, "without consultation and without advance notice, is inhumane and in effect punishes prospective emigrants for their reliance on a commitment made by our government."

The National Conference on Soviet Jewry called the suspension "potentially tragic," and urged that the U.S. government "immediately find the funds to reinstate the activities of its Moscow embassy."

ISRAEL AND U.S. COMPETE FOR EXITING SOVIET JEWS

A behind-the-scenes tug-of-war appears to be underway between the United States and Israel concerning the offer of refuge for Jews leaving the Soviet Union, a struggle that has the American Jewish community caught in the middle.

In June, the Israeli government took steps to ensure that Jews exiting the Soviet Union would transit to Israel via Bucharest, thus avoiding the stopover in Vienna, where more than 80 percent of Jews with visas to Israel have opted to "drop out" in favor of resettlement in the United States, Canada, or other Western countries in recent months.

The new arrangement, which would seek to force emigrating Jews to transit via Bucharest, where they would not have the option to "drop out," is not fully operational as of this writing, although small numbers of Jews have been voluntarily entering Israel in this manner (see Refugee Reports, Vol. VIII, Nos. 3 and 8).

A joint statement on the issue of "direct flights" of Soviet Jews to Israel was issued in June by eleven major American Jewish organizations, including the American Jewish Committee, the Hebrew Immigrant Aid Society (HIAS), the National Conference on Soviet Jewry, and the World Zionist Organization/American Section. The statement welcomed the Israeli initiative to secure direct flights for Soviet Jews "who wish to settle in Israel." It also said that it was "imperative" that a program for "direct invitations from Soviet Jews settled in North America, to their relatives in the Soviet Union, be set forth quickly and effectively."

Morris B. Abram, chairman of the National Conference on Soviet Jewry, said, "The new Israeli procedure reaffirms the principle of free choice in emigration: Jewish emigrants who intend to settle in Israel will be able to proceed directly to Israel via Bucharest. Those who wish to emigrate to the United States and Canada should be able to do so by applying to the embassies of those countries in Moscow after receiving invitations from their family members."

David A. Harris, Washington Representative of the American Jewish Committee and author of a forthcoming book on the subject of the destination of Soviet Jewish emigres, told Refugee Reports, "This is one of the most contentious, sensitive, and complex issues involving Israel and the diaspora, which goes to the heart of the Jewish state as the ingatherer of the exiles and of the validity and vitality of the diaspora."

Harris said that the two-track proposal from the American Jewish community, calling for direct departures to Israel or to whatever other country the would-be emigrant would choose, was a "compromise among different clashing, but compelling concerns." He said that the proposal seeks to accommodate the "support of Jews everywhere for a strong, robust Israel" which depends on continued Jewish immigration, as well as the "almost sacred respect for democratic values and human rights, embraced in the concept of freedom to decide one's own fate."

Press Speculate on Policy The Israeli action and the U.S. and Soviet responses have been the subject of open speculation in editorial pages from New York to Tel Aviv. On June 27, syndicated columnists Evans and Novak wrote that new Justice Department regulations cleared by the State Department "will give Soviet Jewish refugees flown to Israel via Romania a new right to come immediately to the United States as 'refugees,'" despite the fact that they would be granted Israeli citizenship automatically under Israel's Law of Return.

Under international law, a refugee who is offered citizenship by a host country loses his refugee status. Ordinarily, this would mean that Soviet emigres in Israel would have to apply to the United States for immigration visas, a much slower procedure involving a completely different set of eligibility and preference criteria than the refugee processing track.

A.M. Rosenthal wrote in the July 12 New York Times that the State Department has a two-part plan to 1) call upon the Soviet Union to allow Jews to travel directly to the United States (as currently permitted for Soviet Armenians); and, if that request is refused, to 2) amend U.S. immigration regulations "so that Soviet Jews who have to go to Israel will not lose their refugee status."

One knowledgeable government source told Refugee Reports that the Evans and Novak piece was "wrong". Several other government sources interviewed by Refugee Reports said that the articles suggesting new regulations for admission of Soviet Jews in Israel as refugees were only extrapolations from the proposed revised asylum regulations published in the April 6 Federal Register (see Refugee Reports Vol. IX, No. 4).

The proposed asylum regulations say that aliens will not be considered to be "firmly resettled"--and therefore ineligible for asylum--if the offer of citizenship comes from a country the asylum applicant entered as "a necessary consequence of his flight from persecution."

Although the regulations were published concerning asylum, and not overseas refugee admissions, one Justice Department source said that "we don't want two separate definitions of 'firm resettlement.'" He also said, however, that the Justice Department "is not jumping" to rewrite the regulations

BIA RULES ASYLUM APPLICANT NOT FIRMLY RESETTLED IN ISRAEL

The question of processing Jews who transit through Israel as refugees in the United States has already been addressed in a 1987 Board of Immigration Appeals (BIA) ruling. In Matter of Hakimian, the BIA overturned an immigration judge's discretionary denial of asylum to an Iranian Jew who resided in Israel for five years.

Shahriar Hakimian had established a well-founded fear of persecution in Iran based on his Jewish faith, but had resided in Israel for 5 years before applying for asylum in the United States.

The immigration judge specifically found that Hakimian had been firmly resettled in Israel and could have become a resident of Israel and found safe refuge there. Although recognizing him to be a refugee from Iran, the judge exercised his discretion to deny asylum on the basis of Hakimian's firm resettlement in Israel.

The BIA said that the "real reason" for the immigration judge's discretionary denial of asylum "was the fact that as a Jew, the respondent could have obtained residency in Israel under that country's law of return."

However, the Board found that Hakimian was in Israel only as a student, and that "he has never applied for nor received refugee or asylee status in Israel or anywhere else other than the United States."

The BIA noted that the United States has never said that an alien must apply for asylum at the first available opportunity. "His preference for the United States is clearly not an adverse factor," it said.

The BIA said, "It may be that if the respondent had submitted an application to reside in Israel under that country's law of return, his application would have been granted. However, the respondent chose to apply for asylum here, instead, and not to become an Israeli resident."

The BIA reversed the decision of the immigration judge and approved Hakimian's application for asylum.

for the section of the law dealing with refugee admissions.

A State Department source said, "We support freedom of choice" for Soviet Jews, but declined to comment further on how the United States would respond to moves by Israel to compel Soviet emigres first to travel to Israel.

The Soviet Position A year ago, in the July 10, 1987 Russian-language edition of Novoye Vremya, Rudolf Kuznetsov, chief of the Soviet Ministry of Internal Affairs Visa and Registration Department, stated that "a former Soviet citizen, who left the USSR for Israel and now lives in a third country that has diplomatic relations with the Soviet Union, can send an invitation to his relatives. It will be considered according to regular procedure."

Although in past years, invitations for family reunification were only accepted by the Soviet authorities from Jewish relatives in Israel, about 300 Soviet Jews have received permission to leave the Soviet Union this year based on invitations from family members in the United States, more than triple the number permitted in 1987 and ten times the number permitted in 1986.

More recently, Gennadiy Gerasimov, spokesman for the Soviet Foreign Ministry, appeared again to endorse the idea of "direct departures" to either Israel or the United States. In a June 21 interview with the Hebrew-language Ma'Ariv, in Tel Aviv, he said, "If a Jew receives an exit visa to Israel he can leave for Israel, and if he receives a visa to the United States he can leave for California."

He also said, however, "The USSR has no issue with the Israeli government's decision to compel Jews who receive exit visas to Israel to go only to that country." In what the Israeli reporter noted was "an ironic tone," Gerasimov added, "Your decision constitutes the denial of a person's freedom of choice to travel anywhere he likes." He also predicted that fewer and fewer Jews would request exit visas to Israel "because they compare life in Israel in the wake of the Palestinian uprising and your weather to the good life in California."

The Israeli Position The Israelis maintain that since the overwhelming majority of Jews exiting the Soviet Union do so based on letters of invitation from relatives in Israel and with Israeli visas obtained through the Dutch embassy in Moscow, they have, in effect, agreed to come to Israel.

The notion that a Jew could be processed as a refugee into the United States from Israel seems particularly irksome to the Israelis, who maintain that all Jews have a homeland in Israel.

An Israeli official in Washington told Refugee Reports, "The very idea that any Jew in Israel can be described as a refugee is anathema and deeply offensive to all Israelis as individuals." Although saying that he believed that the United States would not go forward with such a policy, he said that if it did, it "would create a very serious problem in relations with Israel."

Meetings and Conferences

° "Hepatitis B: Surveillance and Strategies for Control in Refugees" will be held on September 15, 1988 at the Pfister Hotel in Milwaukee, Wisconsin.

Sponsored in part by the Refugee and Immigrant Health Program of the state of Wisconsin, the conference is the first to be devoted entirely to this subject.

For further information on the conference, call Kate Kvale, Conference Coordinator, Refugee and Immigrant Health Program, (608) 266-9452.

° "Refugee Mental Health: Looking Foreward, Looking Back," a conference co-sponsored by the Colorado Division of Mental Health (CDMH) and the Spring Institute for International Studies, in consultation with the National Institutes of Mental Health, will be held in Vail, Colorado, September 8-10, 1988.

Topics covered will include prevention, cross-cultural testing, pharmacology, acculturation, and mental health issues affecting Amerasians.

The registration fee is $95.00. For further information, contact Roberta Tapia at CDMH, (303) 762-4095 or Myrna M. Adkins at the Spring Institute for International Studies, (303) 431-4003.

Resources

ACADEMY AWARD WINNER HAING NGOR TELLS HIS OWN STORY OF THE KHMER ROUGE HORRORS

"I have been many things in life," begins Haing Ngor's story of survival under the brutal Khmer Rouge, "a trader walking barefoot on paths through the jungles. A medical doctor, driving to his clinic in a shiny Mercedes. In the past few years, to the surprise of many people, and above all myself, I have been a Hollywood actor. But nothing has shaped my life as much as surviving the Pol Pot regime. I am a survivor of the Cambodian holocaust. That's who I am."

Dr. Haing Ngor won an Academy Award in 1985 for his portrayal of New York Times photographer Dith Pran in The Killing Fields. Just before the presentation, Haing Ngor said he was excited but at peace, "because I knew that my best performances were over before I left Cambodia. And the prize there was much greater."

The prize was his life. Before the Khmer Rouge took power in April 1975, Haing Ngor had a thriving medical practice in Phnom Penh and held the rank of captain in the Lon Nol army. Under the new communist regime, these were crimes punishable by death. Haing Ngor took on a new identity as Samnang, a cab driver. His wife, Huoy, a teacher, became Bopha, a vegetable seller. He protected his dangerous secret three times under mind-chilling torture by the Khmer Rouge. He suffered a severed finger, a maimed leg, beatings, crucifixion above a slow fire, and water torture. He watched his father and other family members being led off to death in the Khmer Rouge prisons. Houy died in childbirth in his arms.

But Haing Ngor lived, and his story offers not only a shockingly vivid description of daily life under the Khmer Rouge but also insights on the motivations behind their atrocities. In a cogent play on words, he calls the Khmer Rouge "communist at the top and kom-monuss at the bottom." The leaders and ideologues sat in Phnom Penh or regional headquarters and spun out their theories of "independence-sovereignty" and agrarian revolution. At the bottom, in the fields and collectives, were the kom-monuss, the "revenge-people. All they know," said Haing Ngor, "is that city people like us used to lord it over them and this is their chance to get back."

Haing Ngor: A Cambodian Odyssey was written with Roger Warner, a freelance journalist, and published by MacMillan, 866 Third Avenue, New York, N.Y. 10022. ($19.95)

OXFAM PUBLISHES BOOK CONDEMNING ISOLATION OF CAMBODIA

The Western nations' political and economic isolation of Cambodia in order to punish the Vietnamese nine-year occupation of that country is also punishing many innocent and impoverished Cambodians, according to a book published by Oxfam, a British voluntary agency. Moreover, the ban on development aid, coupled with international support for a coalition government in exile that includes the Khmer Rouge, "perpetuate the conflict and suffering of Kampucheans both inside the country and on the Thai-Kampuchean border."

Punishing the Poor: The International Isolation of Kampuchea, written by Eva Myslewiec, chronicles the devastation of Cambodia during the Vietnam War from 1970 to 1975, the brutality that followed under Khmer Rouge rule from 1975 until the Vietnamese invasion in December 1978, and the efforts to rebuild the country under the Vietnamese-backed government of the People's Republic of Kampuchea.

"Today, the quality of life for many Kampuchean people has improved somewhat but the struggle to meet basic human needs continues," writes Myslewiec. Rice production has increased from 538,000 tons in 1979 to 1,996,000 tons in 1986, though this is still short of requirements for self-sufficiency. Industrial recovery "has been disappointingly slow," although 60 of Cambodia's 100 factories are functioning again.

"The most significant revival has occurred in education," according to the book. Virtually all forms of education, other than political indoctrination, were eliminated under the Khmer Rouge. Now, out of a population estimated at 7 million, more than 1.5 million children are enrolled in primary school, and more than 50,000

teachers have been trained or retrained.

Health remains a serious concern, with diarrhea, malnutrition, malaria, and tuberculosis the greatest hazards. As for religion, Buddhism has been allowed to revive, along with Islam, but "although the government guarantees religious freedom, it still barely tolerates Christianity."

Mysliwiec argues that "since 1982, as Kampuchea has progressed from the state of emergency, western aid donors have been unwilling to expand cooperation from purely emergency aid to reconstruction and development projects...Kampuchea is the only Third World country to be denied UN development aid."

In addition to recommending that reconstruction and development aid be provided to Cambodia "independently of political considerations," the book also calls on the international community to withdraw all support for the Khmer Rouge leaders responsible for acts of genocide; to extend refugee status to the 300,000 "displaced persons" on the Thai-Cambodian border and move the camps farther from the fighting; and to support efforts toward a negotiated political settlement.

Punishing the Poor is published by Oxfam, 274 Banbury Road, Oxford OX2 7DZ, UK.

A CENTURY OF JEWISH EMIGRATION RECOUNTED

The exodus of Jews is a story as old as the Bible itself, but a new work by Ronald Sanders, The Shores of Refuge: A Hundred Years of Jewish Emigration, takes these traditional themes into the 20th century. At work is the interplay of modern anti-semitism--starting with the Russian pogroms of the late nineteenth century and culminating with the Nazi Holocaust--with migration and sources of hope associated with it, whether represented by the "Goldene Medina" of the United States or of aliyah--"going up"--to Israel.

The book focuses first on the pre-Holocaust years when the options for emigration were severely limited by U.S. immigration restrictionism or British limits on settlement in Palestine. Then Sanders examines efforts to save Jews from the Nazi onslaught as well as efforts to deal with displaced persons after the close of the Second World War.

In some respects, the 673-page book is a history of one of today's most respected voluntary agencies in the field of refugee resettlement--the Hebrew Immigrant Aid Society (HIAS). "The special place of HIAS," writes Sanders, "is due not only to its having preeminently served...[Jewish emigration], but to being a product of it: for HIAS was the first such organization to be founded and led by people who were themselves immigrants from Eastern Europe."

While providing interesting historical insights into such continuing phenomena as the competitive pull of two "Promised Lands" --Israel and America, the book's focus is limited essentially to the migration of Ashkenazic Jews from Europe, thereby mostly missing the story of the migration of Sephardic Jews from Arab and Persian lands as well as the more recent movement of the "falashas" of Ethiopia.

Shores of Refuges, published by Henry Holt and Company, is listed at $27.95.

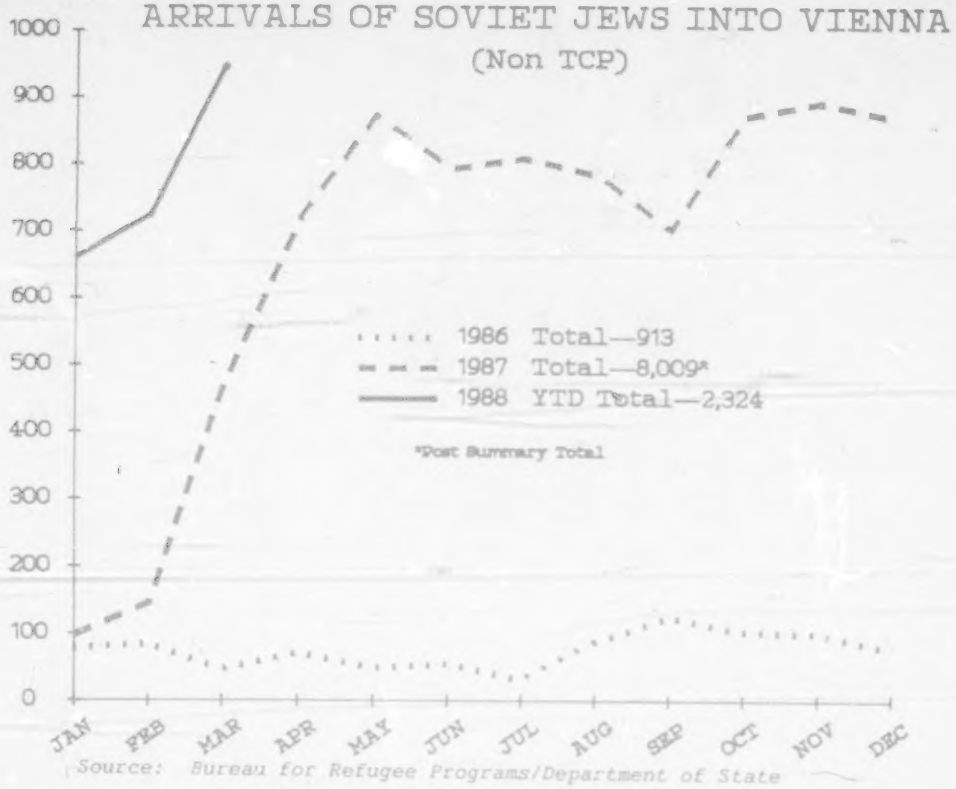
ASIAN ENGLISH LANGUAGE PROFICIENCY EVALUATED

Federal guidelines for bilingual education require that the abilities of limited English proficient (LEP) children be evaluated in their own languages. Yet as recently as the 1985-6 update survey of the American Speech-Language-Hearing Association (ASHA), there is not a single certified speech-language pathologist or audiologist in the United States who speaks Vietnamese, Laotian, Hmong, or Khmer.

Assessing Asian Language Performance: Guidelines for Evaluating Limited-English-Proficient Students, by Li-Rong Lilly Cheng, is an attempt to fill this and other gaps by making speech professionals more aware of the problems faced by LEP Asian students and by giving them guidelines for overcoming these barriers.

The book provides cultural, historical, and linguistic overviews of each Asian immigrant group in the United States and evaluates the variety of barriers to language services and second language acquisition.

Assessing Asian Language Performance is available for $38 from Larry Abram, Aspen Publishers, 7201 McKinney Circle, P.O. Box 990, Frederick, MD 21701-9782. (800) 638-8437.



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